

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jamal Derrick Hudson,

No. 14-cv-696 (JNE/LIB)

Plaintiff,

v.

REPORT AND RECOMMENDATION

C. Nickrenz, et al.,

Defendants.

This matter comes before the undersigned United States Magistrate Judge upon a routine supervision of the cases that pend before the Court, and pursuant to a general assignment made in accordance with the provisions of 28 U.S.C. § 636(b)(1)(A).

This Court, by its March 18, 2014, Order, [Docket No. 3], affirmed by the Honorable Joan N. Ericksen's April 23, 2014, Order, [Docket No. 5], notified Petitioner that his habeas corpus petition, [Docket No. 1], would be summarily stricken without prejudice, for reasons provided in the Orders; that Petitioner was granted leave to file a new pleading in the present action; that Petitioner was to file his new pleading accompanied by either (a) the unpaid balance of the \$400 filing fee for a civil action, or (b) an application for leave to proceed in forma pauperis with an initial partial filing fee; and that if Petitioner failed to satisfy all of the requirements of the Court's March 18, 2014, Order, [Docket No. 3], the Court would recommend that his action be dismissed without prejudice, pursuant to Fed. R. Civ. P. 41(b). In light of Petitioner's appeal of the Court's March 18, 2014, Order, the Court reset the deadline for Petitioner's compliance with the Court's Orders to **May 16, 2014**.

The Court has not received a new pleading from Petitioner. In accordance with the Court's March 18, 2014, Order, the Court deems Petitioner to have abandoned the present action, and **IT IS HEREBY RECOMMENDED THAT:**

1. The present action be dismissed without prejudice for failure to comply with the Court's Orders at Docket Numbers 3 and 5, and for failure to prosecute.

DATED: May 21, 2014

s/Leo I. Brisbois
LEO I. BRISBOIS
United States Magistrate Judge

NOTICE

Pursuant to Local Rule 72.2(b), any party may object to this Report and Recommendation by filing with the Clerk of Court, and serving all parties **by June 4, 2014**, a writing that specifically identifies the portions of the Report to which objections are made and the bases for each objection. A party may respond to the objections within **fourteen (14) days** of service thereof. Written submissions by any party shall comply with the applicable word limitations provided for in the Local Rules. Failure to comply with this procedure may operate as a forfeiture of the objecting party's right to seek review in the Court of Appeals. This Report and Recommendation does not constitute an order or judgment from the District Court, and it is therefore not directly appealable to the Court of Appeals.